

**ORDINANCE NO. 20-\_\_\_\_\_**

**BE IT ORDAINED** by the City Council of the City of Huntsville, Alabama, as follows:

**Section 1.** The City Council of the City of Huntsville, Alabama, finds that an application has been presented to the City of Huntsville requesting the vacation of an Alley-Way and a portion of a Utility and Drainage Easement; that the applicant has represented to the City of Huntsville that **Oceans 2, LLC**, is the owner of the property across which said Alley-Way and Utility and Drainage Easement lies; that said Alley-Way and Utility and Drainage Easement, or the portion being vacated, are not presently used and are no longer needed for a public or municipal purpose.

**Section 2.** Pursuant to the findings in Section 1 hereinabove, the Mayor of the City of Huntsville, Alabama, is hereby authorized, requested and directed to execute a quitclaim deed vacating the Alley-Way and Utility and Drainage Easement hereinafter described, said deed being substantially in words and figures as follows, to-wit:

***This Instrument prepared by:***

Behrouz K. Rahmati  
Rahmati Law Firm, LLC  
470 Providence Main St, Suite 201  
Huntsville, Alabama 35806  
(256) 533-2002

The following information is offered in lieu of submitting an RT-1 Real Estate Sales Validation Form pursuant to Section 40-22-1 of the Code of Alabama (1975):

**RECORDING USE ONLY**

**Grantor's name and mailing address**

City of Huntsville, Alabama  
308 Fountain Circle, P.O. Box 308  
Huntsville, Alabama 35801

**Grantee's name and mailing address:**

Oceans 2, LLC  
2401 Governors Drive, SW.  
Huntsville, Alabama 35805

**Property address:** 2004 Boardman St. SW, Huntsville, AL 35805

**Date of sale:** Dated of even date herewith

**Purchase price:** N/A

The purchase price or actual value claimed in this instrument can be verified in the following documentary evidence:

☐ Bill of Sale    ☐ Sales Contract    ☐ Closing Statement    ☐ Appraisal    ☒ Other

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**QUITCLAIM DEED FOR VACATION OF RIGHT-OF-WAY  
AND PUBLIC UTILITY AND DRAINAGE EASEMENT**

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WHEREAS, the **City of Huntsville, Alabama** (the "Grantor") is the holder of that certain public right-of-way more particularly described on Exhibit A attached hereto (the "Right-of-Way"); and

WHEREAS, the Grantor has agreed to vacate the Right-of-Way and to convey all of its right, title and interest in and to the Right-of-Way to **Oceans 2, LLC** (the "Grantee").

NOW, THEREFORE, KNOW ALL PERSONS BY THESE PRESENTS, that the Grantor, for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and legal sufficiency of which are hereby acknowledged, does hereby remise, release, and forever quitclaim to the Grantee, together with every contingent remainder and right of reversion, all Grantor's right, title, interest and claim in and to the 10-foot Alley Right-of-Way, and Public Utilities and Drainage Easement (P.U.D.E), situated in the City of Huntsville, County of Madison, Alabama and legally described in attached hereto **Exhibit "A"**.

TO HAVE AND TO HOLD the Right-of-Way unto the Grantee, together with every contingent remainder and right of reversion.

Grantor attests, to the best of its knowledge and belief, that the information submitted in the legend at the beginning of this Deed in lieu of the RT-1 Real Estate Sales Validation Form is true and accurate, and Grantor understands that any false statements contained in such information may result in the imposition of the penalty indicated in Code of Alabama 1975 § 40-22-1(h).

**IN WITNESS WHEREOF**, Grantor has caused this instrument to be executed on or as of the 11th day of June, 2020.

**CITY OF HUNTSVILLE, ALABAMA**

By: \_\_\_\_\_  
Tommy Battle, Mayor

Attest: \_\_\_\_\_  
Ken Benion, Clerk Treasurer

STATE OF ALABAMA     )  
                                     :  
COUNTY OF MADISON    )

I, the undersigned, a notary public in and for said County, in said State, hereby certify that Tommy Battle and Ken Benion, whose names as Mayor and City Clerk-Treasurer, respectively, of The City of Huntsville, Alabama, an Alabama municipal corporation are signed to the foregoing document, and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they, as such officers and with full authority, executed the same for and as the act of said corporation on the day the same bears date.

Given under my hand and official seal this the 11th day of June, 2020.

\_\_\_\_\_  
NOTARY PUBLIC  
My Commission Expires: \_\_\_\_\_

NOTARIAL SEAL

**EXHIBIT A**

**LEGAL DESCRIPTION  
10-Foot Alley Right of Way and P.U.D.E.**

STATE OF ALABAMA  
COUNTY OF MADISON

**ALLEY (10' RIGHT-OF-WAY) AND PUBLIC UTILITY AND DRAINAGE EASEMENT TO BE  
VACATED**

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 4 SOUTH, RANGE 1 WEST, CITY OF HUNTSVILLE, MADISON COUNTY, ALABAMA AND FURTHER DESCRIBED AS BEING A PORTION OF A 10' ALLEY LOCATED IN BLOCK 167 OF THE LOWE CORPORATION ADDITION TO THE CITY OF HUNTSVILLE, MADISON COUNTY, ALABAMA AS RECORDED IN PLAT BOOK 1, PAGE 166 IN THE OFFICE OF THE JUDGE OF PROBATE, MADISON COUNTY, ALABAMA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8 INCH IRON PIN MARKING THE SOUTHWEST CORNER OF LOT 3 AS RECORDED IN DOCUMENT NUMBER 20140331000160690 AS RECORDED IN SAID PROBATE OFFICE; THENCE NORTH 88 DEGREES 54 MINUTES 05 SECONDS WEST, 9.96 FEET TO A 1/2 INCH IRON PIN MARKING THE SOUTHEAST CORNER OF LOT 20 AS RECORDED IN DOCUMENT NUMBER 20140331000160690 AS RECORDED IN SAID PROBATE OFFICE; THENCE NORTH 01 DEGREE 24 MINUTES 09 SECONDS EAST, 149.67 FEET TO A CAPPED IRON PIN (SCHOEL CA#003) TO THE SOUTH RIGHT-OF-WAY MARGIN OF GOVERNORS DRIVE (HIGHWAY 53); THENCE, ALONG THE SAID SOUTH RIGHT-OF-WAY MARGIN, SOUTH 89 DEGREE 20 MINUTES 50 SECONDS EAST, 10.23 FEET TO A CAPPED IRON PIN (SCHOEL CA#003); THENCE SOUTH 01 DEGREE 30 MINUTES 12 SECONDS WEST; 149.74 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.03 ACRES (1512 SQUARE FEET).

**Ordinance No. 20-\_\_\_\_\_ (Cont.)**

**ADOPTED** this the 11th day of June, 2020.

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President of the City Council  
of the City of Huntsville, Alabama

**APPROVED** this the 11th day of June, 2020.

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Mayor of the City of  
Huntsville, Alabama